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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/804,763	03/19/2004	Yan Qi	A-72186-1/MJM/TAL/DCF

32940  
 DORSEY & WHITNEY LLP  
 INTELLECTUAL PROPERTY DEPARTMENT  
 4 EMBARCADERO CENTER  
 SUITE 3400  
 SAN FRANCISCO, CA 94111



CONFIRMATION NO. 8097

## FORMALITIES LETTER



\*OC000000012689136\*

Date Mailed: 05/20/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 3, 5, 6, 7, 8, 10A-10D, 13, 14A-B.
  - The drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o)). See Figure(s) 3, 4, 6, 11, 13, 14A, 14B.

07/23/2004 MAHME1 00000008 10804763

01 FC:2051 65.00 OP  
 02 FC:2202 189.00 OP

03 FC:2203 145.00 OP

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703)-306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$334** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$399** for a Small Entity

- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$334**
  - **\$189** for **21** total claims over 20.
  - **\$145** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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***A copy of this notice MUST be returned with the reply.***

Z Arrays

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT**

Attorney Docket No. A-72186-1/TAL/DCF  
Dorsey File No. 471702-00008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

QI *et al.*

Serial No.: 10/804,763

Filing Date: March 19, 2004

For: *Gene Therapy Vectors Having  
Reduced Immunogenicity*

Examiner: Not Yet Assigned

Art Unit: 1645

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Dated: July 20, 2004

Signed:   
Brent Yonehara

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed May 20, 2004.

Enclosed are the following documents:

1. Copy of Notice to File Missing Parts of Nonprovisional Application;
2. Declaration and Power of Attorney for Patent Application [37 C.F.R. § 1.63];
3. Preliminary Amendment re Sequence Listing and re Drawing Correction;
4. Paper copy of Sequence Listing [37 C.F.R. § 1.821-1.825];
5. Computer readable form of sequence listing on diskette;
6. Thirty-nine (39) sheets of formal drawings;

Serial No.: 10/804,763  
Filing Date: March 19, 2004

7. Eleven (11) Annotated Sheets Showing Changes (marked in red);
8. Check for \$399.00 to cover the additional claim fee (\$334.00) and missing parts surcharge (\$65.00);
9. Return receipt postcard.

The Commissioner is authorized to charge any additional fees which maybe required, or credit any overpayment to Deposit Account No. 50-2319 (Order No. 471702-00008 (A-72186-1/TAL/DCF)).

It is believed that submission of the above serves to satisfy all of the requirements of the outstanding Notice to File Missing Parts of Nonprovisional Application.

If there are any questions with regard to the foregoing, please call the undersigned at (415) 781-1989.

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: July 20, 2004  
Customer Number: 32940  
Dorsey & Whitney LLP  
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